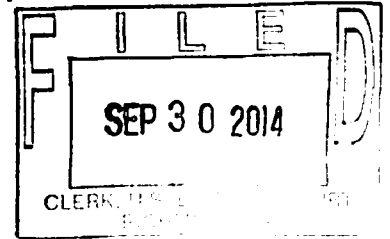


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**



RALPH M. SMITH,

Plaintiff,

v.

Civil Action No. **3:14CV298**

S. ROBINSON,

Defendant.

MEMORANDUM OPINION

On May 22, 2014, the Court conditionally docketed Plaintiff's action. Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on July 1, 2014, the Court directed Plaintiff to pay an initial partial filing fee of \$2.37 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. *See* 28 U.S.C. § 1915(b)(1). By Memorandum Order entered July 30, 2014, the Court warned Plaintiff that he bore the responsibility to submit the partial filing fee and provided Plaintiff an additional eleven (11) days of the date of entry thereof in which to submit the fee. Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be **DISMISSED WITHOUT PREJUDICE**.

An appropriate order shall issue.

Date: 9-19-14
Richmond, Virginia

/s/
James R. Spencer
Senior U. S. District Judge